

REMARKS

This Amendment is being filed in response to an Office Action mailed on November 1, 2006. Claims 1-3 and 8-19 are pending in this application and stand rejected. Claims 1-3 and 8-10 are independent. In this Amendment, all the independent claims 1, 3 and 8-10 have been amended to clarify that a recess is present in the walls of the cage bottom and that flanges on the feeder assembly are received in the recesses. Support for the amendments can be found on at least page 4 of the specification as originally filed, which, in connection with FIG. 3, describes recesses 35 and 35' in side walls 12 receiving flanges 39 and 39'. Applicants respectfully maintain that the claims have been amended to better clarify the Applicants' invention and do not narrow the scope of the claims in any way. Applicants respectfully submit that all the pending claims, claims 1-3 and 8-19 are in condition for allowance.

Rejection under 35 U.S.C. §102(b)

In the Office Action, claim 11 was rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,989,545 to Sheaffer et al. Applicants respectfully submit that Sheaffer fails to teach or suggest a cage bottom having side walls, the side walls having recesses “constructed and arranged to receive the flange of the feeder assembly in the recesses” as recited in claim 11 as amended herein. (emphasis added) The recesses and flange can work together to help maintain a smooth boundry between the cage bottom and feeder assembly in a manner that would not be evident from Sheaffer. Accordingly, Sheaffer fails to anticipate or render obvious claim 11, and Applicants respectfully request withdrawal of the rejection.

Rejection under 35 U.S.C. §103(a)

In the Office Action, claims 1-3 and 8-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sheaffer in view of Applicant Admitted Prior Art (AAPA) or U.S. Patent No. 5,894,816 to Coiro et al. Applicants respectfully submit that Sheaffer, either taken alone or in combination with either AAPA or Coiro, fails to teach or suggest a cage bottom having side walls having recesses and a feeder assembly with flange received in the recesses as recited in the claims amended herein.

Accordingly, Applicants respectfully submit that claims 1-3 and 8-10 as amended herein are patentable over Sheaffer in view of AAPA or Coiro and respectfully request withdrawal of the rejection.

Double Patenting Rejection

Claims 1-3, 8-19 stand rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatenable over U.S. Patent Nos. 6,341,581; 6,336,427; or 6,041,741. Because the double patenting rejection is not the only pending rejection of the claims, this rejection will not be addressed at this time.

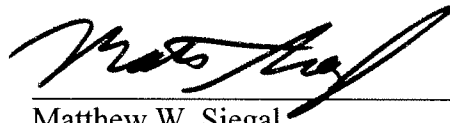
Accordingly, Applicants respectfully submit that all outstanding rejections have been addressed and are now either overcome or moot, and that all the pending claims are patentable over the prior art. Accordingly, favorable consideration and prompt allowance of this application are respectfully requested.

Application Serial No.: 09/173,134
Amendment dated October 30, 2007
Responsive to Office Action dated July 16, 2006

No fee, other than the fee for the Petition for Extension of Time submitted herewith, is deemed necessary in connection with the filing of this Amendment. However, if any fee is required, the Examiner is hereby authorized to charge the amount of such fee to Deposit Account No. 19-4709.

In the event that there are any questions, or should additional information be required, please contact Applicants' attorney at the number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Matthew W. Siegal', is written over a horizontal line.

Matthew W. Siegal
Registration No. 32,941
Attorney for Applicants
STROOCK & STROOCK & LAVAN LLP
180 Maiden Lane
New York, New York 10038-4982
(212) 806-5400